UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/847,145	05/02/2001	Wolfgang Theimer	473-010326-US(PAR)	6585

			EXAMINER
2512	7590	09/06/2006	NGUYEN, LE V

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ART UNIT	PAPER NUMBER
2174	

DATE MAILED: 09/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/847,145	THEIMER, WOLFGANG
	Examiner	Art Unit	
	Le Nguyen	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>19 July 2006</u>.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-21</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-21</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This communication is responsive to an amendment filed 7/19/06.

2.   Claims 1-21 are pending in this application. Claims 1, 10, 12 and 14 are

independent claims. Claims 1, 10, 12 and 14 have been amended

3.   The text of those sections of Title 35, U.S. Code not included in this action can

be found in a prior Office action.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

5.   Claims 1, 2, 4, 6-8, 12, 14, 15, 17, 19 and 20 are rejected under 35 U.S.C. 102(a)

as being anticipated by Bush et al. ("Bush").

As per claim 1, Bush teaches a method for controlling a system, especially an

electrical and/or electronic system, comprising a plurality of application devices

comprising identifying control information received from a user independently of a

permanently predetermined menu structure (col. 5, lines 23-32), an instruction of the

control information input is interpreted in accordance with available ones of the

application devices by checking whether the control information is known, unambiguous

and complete for one of the application devices and an application device is controlled

in accordance with the result of the interpretation (col. 5, lines 23-32; col. 22, lines 42-

47; *the instruction "turn to channel 123" are determined for the keyword "Sports" in the keyword data bank and interpreted in accordance with the TV device by checking whether 'Sports' is known, unambiguous and complete for the TV device*).

As per claim 2, Bush teaches a method for controlling a system, especially an electrical and/or electronic system, comprising at least one application device characterized in that the control information specified by a user is signaled back to the user as announcement or indication for the purpose of acknowledgement (col. 5, lines 30-32; col. 22, lines 42-47; *upon turning to channel 123, user's selection is confirmed*).

As per claim 4, Bush teaches a method for controlling a system, especially an electrical and/or electronic system, characterized in that control information input which cannot be reliably interpreted is correspondingly marked in the return signaling (col.22, lines 42-46; *control information input which cannot be reliably interpreted is consequently/correspondingly defined and evident or apparent/marked in the return signaling*).

As per claim 6, Bush teaches a method for controlling a system, especially an electrical and/or electronic system, comprising at least one application device characterized in that the control information input as keyword or keywords is compared with stored keywords for the purpose of interpretation (col. 5, lines 23-32; col. 22, lines 42-47).

As per claim 7, Bush teaches a method for controlling a system, especially an electrical and/or electronic system, comprising at least one application device characterized in that the available application devices, control instructions and control

parameters are stored as keywords as control information (col. 5, lines 23-32; *i.e.*

control destination parameters such as "3" and control information item input such as

"Sport", wherein control information can be input in the following form: "TV" "Sport").

As per claim 8, Bush teaches a method for controlling a system, especially an

electrical and/or electronic system, characterized in that control parameters are stored

as lists (fig. 2a; *e.g. memory, RAM; memory is an array that is a list and RAM is a kind*

of memory array that is a list).

Claims 12 and 14 are individually similar in scope to claim 1 and are therefore

rejected under similar rationale.

Claim 15 is similar in scope to claim 2 and is therefore rejected under similar

rationale.

Claim 17 is similar in scope to claim 4 and is therefore rejected under similar

rationale.

Claim 19 is similar in scope to claim 6 and is therefore rejected under similar

rationale.

Claim 20 is similar in scope to claim 7 and is therefore rejected under similar

rationale.

Claim Rejections - 35 USC § 103

6.   Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bush et

al. ("Bush") in view of Osawa.

As per claim 9, although Bush teaches a method for controlling a system, especially an electrical and/or electronic system, comprising storing control instructions for the application devices affected and the control parameters needed in each case to execute the instructions (fig. 2a *and respective portions of the specification*; col. 5, lines 23-32), Bush does not explicitly disclose using data records. Osawa teaches a method for controlling a system, especially an electrical and/or electronic system, comprising using data records (fig. 4; page 9, lines 11-14; page 10, lines 17-22; *depicted is a table containing multiple data fields wherein each row in the table constitutes a data record, i.e. each row contain more than one data field and different rows contain similar data, therefore, each row is called a data record*). It would have been obvious to an artisan at the time of the invention to incorporate the method of Osawa with the method of Bush in order to provide users with data organizational capabilities.

Bush and Osawa still do not explicitly disclose the control instruction being stored together with dummy codes for the applications devices affected. Official Notice is taken that using a dummy to reserve space is well known in the art. Therefore, it would have been obvious to an artisan at the time of the invention to include the use of a dummy to the method of Bush and Osawa so that space may be reserved until the intended item is available.

7.   Claim 3 as applied to claim 2, claim 5, claim 10, claim 11, claim 13, claim 16 as applied to claim 15, claim 18 and claim 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bush et al. ("Bush"), in view of Houser et al. ("Houser").

As per claim 3, although Bush teaches a method for controlling a system, especially an electrical and/or electronic system, comprising control information input that allows a number of possibilities for its interpretation (col. 22, lines 42-47), Bush does not explicitly disclose a method wherein a number of possibilities for interpreting an input is signaled back as a selection list. Houser teaches a method for controlling a system, especially an electrical and/or electronic system, wherein a number of possibilities for interpreting an input is signaled back as a selection list (col. 19, lines 44-46; *when there are a number of possibilities for interpreting input "GOTO CHANNEL SIXTEEN", a list of two possible interpretations is signaled to the user*). It would have been obvious to an artisan at the time of the invention to incorporate the method of Houser with the method of Bush in order to improve the recognition rate of the commands spoken by the user.

As per claim 5, although Bush teaches a method for controlling a system, especially an electrical and/or electronic system, comprising at least one application device characterized in that a check is made whether the control information is complete to execute a requested action (col. 22, lines 42-47), Bush does not explicitly disclose that the user is requested to complete the control information if the control information is found to be incomplete during the check to execute a requested action. Houser teaches a method for controlling a system, especially an electrical and/or electronic system, comprising requesting the user to complete the control information if the control information is found to be incomplete during a check to execute a requested action (col. 19, lines 34-46). It would have been obvious to an artisan at the time of the

invention to incorporate the method of Houser with the method of Bush in order to
resolve cases where the command is not recognized.

As per claim 10, although Bush teaches a method for controlling a system having
a plurality of application devices, the method comprising the steps of identifying
received control information being inputted by a user of the system independently of a
permanently predetermined menu structure (col. 5, lines 23-32), enabling the user to
enter an instruction of the control information for one of the application devices and
interpreting an instruction of the control information in accordance with available ones of
the application devices by checking whether the control information is known,
unambiguous and complete for one of the application devices and controlling the one
application device in accordance with the result of the interpretation (col. 5, lines 30-32;
col. 22, lines 42-47; *the instruction "turn to channel 123" are determined for the keyword*
'Sports' in the keyword data bank and interpreted in accordance with the TV device by
checking whether "Sports" is known, unambiguous and complete for the TV device),
Bush does not explicitly disclose the system signaling to the user to resolve a lack of
knowledge or ambiguity or incompleteness of the control information, the signaling
being independent of a permanently predetermined menu structure and enabling the
user to enter a response for resolving the lack of knowledge or ambiguity or
incompleteness of the control information to insure that the control information is known,
unambiguous and complete for one of the application devices. Houser teaches a
method for controlling a system, especially an electrical and/or electronic system,
wherein in the event of the presence of a lack of knowledge or ambiguity or

incompleteness of the control information, the system signaling to the user to resolve a

lack of knowledge or ambiguity or incompleteness of the control information, the

signaling to the user being independent of a permanently predetermined menu structure

and enabling the user to enter a response for resolving the lack of knowledge or

ambiguity or incompleteness of the control information to insure that the control

information is known, unambiguous and complete for one of the application devices

(col. 19, lines 34-46; *signaling to the user to make a decision about a lack of knowledge*

or ambiguity or incompleteness of the control information, the signaling enables/allows

the user to enter a response to make sure that the control information is known,

unambiguous and complete). It would have been obvious to an artisan at the time of the

invention to incorporate the method of Houser with the method of Bush in order to

improve the recognition rate of the commands spoken by the user.

As per claim 11, although Bush teaches a method for controlling a system,

especially an electrical and/or electronic system, comprising checking whether a control

information input is unknown, ambiguous or incomplete for one of the application

devices (Bush: col. 5, lines 30-32; col. 22, lines 42-47), Bush does not explicitly disclose

further information being requested if a control information input is unknown, ambiguous

or incomplete. Houser teaches a method for controlling a system, especially an

electrical and/or electronic system, wherein further information is requested in response

to the control information being unknown, ambiguous or incomplete (col. 19, lines 34-

46). It would have been obvious to an artisan at the time of the invention to incorporate

the method of Houser with the method of Bush in order to resolve cases where the command is not recognized.

Claims 13 and 21 are individually similar in scope to claim 11 and are therefore rejected under similar rationale.

Claim 16 is similar in scope to claim 3 and is therefore rejected under similar rationale.

Claim 18 is similar in scope to claim 5 and is therefore rejected under similar rationale.

Response to Arguments

8.   Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection, except for the following:

Applicant argued the following:

There is no indication in the teachings of Bush of checking whether the control information is known, unambiguous and complete wherein the operation of identification of incoming control information is distinguished from the operation interpretation of an instruction as amended.

The examiner disagrees for the following reasons:

Bush teaches an instruction/command to set the channel to "turn to channel 123" following receiving user voice input 'Sports' (col. 5, lines 23-32; col. 22, lines 42-47). Therefore, Bush teaches that upon receiving user voice input "Sports", the system checks whether "Sports" is known and recognized to be unambiguous and having the necessary elements for the television application device to interpret as an instruction to turn to channel 123. Upon an input being checked and considered to be unknown, ambiguous or incomplete, a visual indicator indicates that no match was identified (col. 22, lines 42-46). Moreover, a voice command is the instruction to the system and the system responds accordingly to the interpretation of that command (col. 5, lines 23-32; col. 22, lines 42-47).

Inquires

9.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Lê Nguyen whose telephone number is **(571) 272-4068**. The examiner can normally be reached on Monday - Friday from 7:00 am to 3:30 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (571) 272-4063.

Information regarding the status of an application may be obtained from the

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published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

LVN
Patent Examiner
August 6, 2006